



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: H. William Bosch et al.  
Title: NOVEL NIMESULIDE COMPOSITIONS  
Appl. No.: 10/697,703  
Filing Date: 10/31/2003  
Examiner: Unassigned  
Art Unit: 1615

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

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Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98, except as noted below.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Documents A111 – A117 were cited by or submitted to the U.S. PTO in parent application Serial No. 10/276,400, filed 01/15/2003. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

#### **RELEVANCE OF EACH DOCUMENT**

The relevance of the listed documents is explained in the specification of the present application or in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date April 1, 2004

FOLEY & LARDNER LLP

Customer Number: 22428

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for Michele M. Simkin Reg. No. 34,485  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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1 of 4

**Complete if Known**

Application Number	10/697,703
Filing Date	10/31/2003
First Named Inventor	H. William Bosch et al.
Group Art Unit	1615
Examiner Name	Unassigned
Attorney Docket Number	029318-0973

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,178,695		ERBEIA	12/18/1979	
	A2	4,616,047		LAFON	10/07/1986	
	A3	4,642,903		DAVIES	02/17/1987	
	A4	4,783,484		VIOLANTE ET AL.	11/08/1988	
	A5	4,826,689		VIOLANTE ET AL.	05/02/1989	
	A6	4,997,454		VIOLANTE ET AL.	03/05/1991	
	A7	5,073,374		MCCARTY	12/17/1991	
	A8	5,112,616		MCCARTY	05/12/1992	
	A9	5,145,684		LIVERSIDGE ET AL.	09/08/1992	
	A10	5,178,878		WEHLING ET AL.	01/12/1993	
	A11	5,184,684		KOHLMAN	02/09/1993	
	A12	5,188,825		ILES ET AL.	02/23/1993	
	A13	5,219,574		WEHLING ET AL.	06/15/1993	
	A14	5,223,264		WEHLING ET AL.	06/29/1993	
	A15	5,298,262		NA ET AL.	03/29/1994	
	A16	5,302,401		LIVERSIDGE ET AL.	04/12/1994	
	A17	5,318,767		LIVERSIDGE ET AL.	06/07/1994	
	A18	5,326,552		NA ET AL.	07/05/1994	
	A19	5,328,404		BACON	07/12/1994	
	A20	5,340,564		ILLIG ET AL.	08/23/1994	
	A21	5,346,702		NA ET AL.	09/13/1994	
	A22	5,349,957		YUDELSON	09/27/1994	
	A23	5,352,459		HOLLISTER ET AL.	10/04/1994	
	A24	5,399,363		LIVERSIDGE ET AL.	03/21/1995	
	A25	5,384,124		COURTEILLE ET AL.	01/24/1995	
	A26	5,399,363		LIVERSIDGE ET AL.	03/21/1995	
	A27	5,401,492		KELLAR ET AL.	03/28/1995	
	A28	5,401,513		WEHLING ET AL.	03/28/1995	
	A29	5,429,824		JUNE	07/04/1995	
	A30	5,446,464		FELDLE	08/29/1995	
	A31	5,447,710		NA ET AL.	09/05/1995	
	A32	5,451,393		LIVERSIDGE ET AL.	09/19/1995	
	A33	5,464,632		COUSIN ET AL.	11/07/1995	
	A34	5,466,440		RUDDY ET AL.	11/14/1995	
	A35	5,470,583		NA ET AL.	11/28/1995	
	A36	5,472,683		ILLIG	12/05/1995	
	A37	5,494,683		LIVERSIDGE ET AL.	02/27/1996	
	A38	5,500,204		OSIFO	03/19/1996	
	A39	5,503,846		WEHLING ET AL.	04/02/1996	
	A40	5,510,118		BOSCH ET AL.	04/23/1996	

**Examiner  
Signature**
**Date  
Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Group Art Unit	1615
				Examiner Name	Unassigned
Sheet	2	of	4	Attorney Docket Number	029318-0973

U.S. PATENT DOCUMENTS					
		U.S. Patent Document			
	A41	5,518,187		BRUNO ET AL.	05/21/1996
	A42	5,518,738		EICKHOFF ET AL.	05/21/1996
	A43	5,521,218		OSIFO	05/28/1996
	A44	5,525,328		BACON ET AL.	06/11/1996
	A45	5,534,270		DE CASTRO	07/09/1996
	A46	5,543,133		SWANSON ET AL.	08/06/1996
	A47	5,552,160		LIVERSIDGE ET AL.	09/03/1996
	A48	5,560,931		EICKHOFF ET AL.	10/01/1996
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	A50	5,565,188		WONG ET AL.	10/15/1996
	A51	5,567,439		ALLEN JR. ET AL.	09/15/1998
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	A53	5,571,536		EICKHOFF ET AL.	11/05/1996
	A54	5,573,749		ILLIG	11/12/1996
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	A56	5,573,783		DESIENO ET AL.	11/12/1996
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	A62	5,587,180		ALLEN JR. ET AL.	12/24/1996
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	A65	5,595,761		ALLEN JR. ET AL.	01/21/1997
	A66	5,607,697		ALKIRE ET AL.	03/04/1997
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	A76	5,718,388		CZEKAI ET AL.	02/17/1998
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Examiner Signature		Date Considered	
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Sheet 3 of 4

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Attorney Docket Number	029318-0973

**U.S. PATENT DOCUMENTS**

	U.S. Patent Document			
	A84	5,807,577	OUALI	09/15/1998
	A85	5,807,578	ACOSTA-CUELLO ET AL.	09/15/1998
	A86	5,827,541	YARWOOD ET AL.	10/27/1998
	A87	5,834,025	DE GARAVILLA ET AL.	11/10/1998
	A88	5,851,553	MYERS ET AL.	12/22/1998
	A89	5,862,999	CZEKAI ET AL.	01/26/1999
	A90	5,866,163	MYERS ET AL.	02/02/1999
	A91	5,869,098	MISRA ET AL.	02/09/1999
	A92	5,871,781	MYERS ET AL.	02/16/1999
	A93	5,998,480	GIORGETTI	12/07/1999
	A94	6,045,829	LIVERSIDGE ET AL.	04/04/2000
	A95	6,068,858	LIVERSIDGE ET AL.	05/30/2000
	A96	6,153,225	LEE ET AL.	11/28/2000
	A97	6,165,506	JAIN ET AL.	12/26/2000
	A98	6,194,462	GIORGETTI	02/27/2001
	A99	6,221,400	LIVERSIDGE ET AL.	04/24/2001
	A100	6,264,922	WOOD ET AL.	07/24/2001
	A101	6,267,989	LIVERSIDGE ET AL.	07/31/2001
	A102	6,270,806	LIVERSIDGE ET AL.	08/07/2001
	A103	6,288,121	BADER ET AL.	09/11/2001
	A104	6,316,029	JAIN ET AL.	11/13/2001
	A105	6,375,986	RYDE ET AL.	04/23/2002
	A106	6,428,814	BOSCH	08/06/2002
	A107	6,431,478	REED ET AL.	08/13/2002
	A108	6,432,381	LIVERSIDGE ET AL.	08/13/2002
	A109	6,579,895	KARIM ET AL.	06/17/2003
	A110	2002/0012675	A1 JAIN ET AL.	01/31/2002

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A111	WO	98/46215	A1	CIMA LABS INC.	10/22/1998		
	A112	EP	0 636 365	A1	MCNEIL-PPC. INC.	02/01/1995		
	A113	WO	96/13251		SCHERER	05/09/1996		
	A114	WO	96/24339		NANOSYSTEMS	08/15/1996		
	A115	WO	96/24336		NANOSYSTEMS	08/15/1996		
	A116	WO	93/25190		STERLING WINTHROP	12/23/1993		
	A117	WO	01/45674		COCENSYS	06/28/2001		
	A118	WO	02/098565		ELAN PHARMA INTERNATIONAL LTD.	12/12/2002		

Examiner Signature

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	A119	Physician's Desk Reference, 56 <sup>th</sup> edition, pp. 446 and 1054 (2002).		
	A120	Lindahl et al., "Characterization of Fluids from the Stomach and Proximal Jejunum in Men and Women", Pharm. Res. 14 (4): pp. 497-502 (1997).		

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